



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, N.Y. 12234

EXECUTIVE DEPUTY COMMISSIONER OF EDUCATION
THE NEW YORK STATE EDUCATION DEPARTMENT
ALBANY, NEW YORK 12234

RECEIVED

June 16, 1995

JUN 23 1995

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

Dear Mr. Caton:

The New York State Education Department's Office of Educational Television and Public Broadcasting has reviewed the current Notice of Proposed Rule Making regarding the **Children's Television Act of 1990 (CTA)**. This Department feels the intent of this Act is now clear and that its purpose should not be diminished. By seeking to clarify its definition of "educational and informational broadcast television programming for children" by adopting a definition of "core" programming, the Commission raises several issues which will have a direct bearing on both commercial and noncommercial television stations:

- The Commission should determine that the equivalent of five 30-minute weekly programs during each of the traditional nine school months is a **MINIMUM** licensee core requirement. Repeat programs should be held to an absolute minimum, preferably airing in only traditional school break and vacation periods. Further, since this programming is, after all, for the benefit of children 16 years of age and under, core programs should be broadcast only at a time when they will be viewed by children in a positive manner. To that end, the broadcast hours of 6-7 AM and 10-11PM should NOT be used in fulfillment of core programming.
- The Commission should permit and encourage financial and "in-kind" support of programming broadcast by noncommercial television stations, in the commercial licensee's market, as a viable alternative to the commercial licensee's fulfillment of their requirements under this Act to serve the educational and informational needs of children.
- The Commission should expand its scope of children's needs to incorporate and even emphasize *cultural* education. Basic knowledge of museums, libraries and theater should be an integral part of every child's educational and informational needs.

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I urge the Commission in its deliberations to fulfill the intent of this legislation to promote and develop the production of children's television programming which will truly recognize "the child's intellectual, cognitive, social, *cultural* and emotional needs." However, the Commission should strive not to inhibit in any way the success non-commercial television licensees have made in children's educational television programming.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas E. Sheldon", with a stylized, cursive script.

Thomas E. Sheldon



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JUN 23 1995

FCC MAIL ROOM

June 21, 1995

Secretary
Federal Communications Commission
Washington, DC 20554

RE: MM Docket No. 93-48

DOCKET FILE COPY ORIGINAL

Dear Sir:

Kansas City Public Television strongly supports the Federal Communications Commission's efforts to tighten children's television rules. We believe a more educational definition of what programming qualifies for license renewal credit and with the possibility of a quantified standard on the amount of educational programming required.

KCPT has always held children among our most cherished viewers. This segment of viewers need to be invested in and not sold to. In January of this year, KCPT reorganized its schedule to increase from 4 to 11 the number of hours each day we devote to children's educational programming. As a pilot station participating in PBS's Ready to Learn Service, we have the commitment to continue to provide the finest children's television programming in the greater Kansas City area. We believe that all broadcasters have an obligation to our children and therefore must back up their words of support with tangible forms of action.

If I can in any way more fully describe our efforts to support educational television programming, or our view of the value of strengthening children's television rules, please do not hesitate to contact me.

Sincerely,

Michael Connet, Vice President
Educational Services

cc William T. Reed, President KCPT

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**SOUTH FLORIDA
PRESCHOOL PTA, Inc.**

MM Docket 93-48

June 13, 1995

DOCKET FILE COPY ORIGINAL

Donna Lyons
President

Federal Communications Commission
Office of the Secretary
1919 M St., NW
Washington, DC 20554

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JUN 23 1995

Jennifer Wollmann
Vice President

Dear Madams and Sirs:

Madeleine Volum
Secretary

The South Florida Preschool PTA (SFPPTA), over 125 members strong, is an organization primarily for parents of young children from infancy to age five. It is part of a nationwide network of preschool PTAs which aims to enrich the lives of families with young children. There are no geographical boundaries and no requirements of having children enrolled in a preschool. Additionally, we are members of Dade County Council of PTAs/PTSAs, Florida PTA, and National PTA.

Nicole Scagnelli
Treasurer

Past Presidents
Cyndy Blackwell
Lorri Guastella
Joan Lesniewski

For the third consecutive year, SFPPTA has monitored the Miami area television stations in regard to station compliance with the Children's Television Act of 1990. The enclosed report outlines our findings and recommendations. History has shown that broadcasters respond to the educational needs of children only when threatened by pending regulations. Broadcasters use the public air waves free of charge, and it is time they take their obligation to serve the public seriously.

If you have any questions or comments regarding the report, please feel free to call or write me.

Very truly yours,

A handwritten signature in cursive script, reading "Lorri Guastella".

Lorri Guastella
Past President and Television Monitoring Co-chair
7901 SW 154 Terrace
Miami, FL 33157
(305) 378-4654

Enclosure

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MM Docket 93-48

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JUN 23 1995

**A REPORT ON MIAMI TELEVISION
STATIONS' COMPLIANCE
WITH THE CHILDREN'S TELEVISION ACT OF 1990**

DOCKET FILE COPY ORIGINAL

**Submitted by
South Florida Preschool PTA
Miami, Florida**

**Prepared by
Lorri Guastella, Past President
and Television Monitoring Co-Chair**

**Maria McDonald, Legislative Committee
and Television Monitoring Co-Chair**

May 25, 1995

For almost twenty years, a priority of the National PTA has been the improvement of the quality of children's television programming, both entertaining and educational. By the age of three, most children have already become regular television viewers. Because television has become a large part of our culture, a child will spend 19,000 hours watching TV versus 15,000 hours in the classroom by the time he or she graduates from high school.¹ The Miami based South Florida Preschool PTA (SFPPTA) is aware of the influence that television has on our lives. We are working to help educate parents and teachers to use critical viewing skills, encourage television viewing with your child, as well as advocating for quality programming.

Please be aware that a good book and time spent with your child is worth more than any educational television program; however, we do recognize television's tremendous educational power and unavoidable influence on children's lives. Therefore, we want to harness this tremendous influence and demand that network television provide quality educational programming for children of all ages pursuant to the Children's Television Act of 1990.

The Children's Television Act establishes rules in two major areas of children's television, advertising and programing, and directs the Federal Communications Commission (FCC) to review the extent to which stations have complied with the rules as a condition of receiving broadcast license renewal. The Act 1) requires stations to air shows that "serve the educational and informational needs of children"; and 2) puts a limit on the number of minutes of commercials per hour in children's programs (not more the 10.5 minutes per hour on weekends and not more that 12 minutes per hour on weekdays).

Broadcasters are not interested in showing children's educational programs. ABC's recent cancellation of *Cro*, an acclaimed science-oriented program, and its replacement with a cartoon version of the hit movie *Dumb and Dumber* is a blatant indication of broadcasters lack of commitment to quality children's educational programming and contempt for the Children's Television Act of 1990.² In five years network television has not taken the necessary steps (regulate itself) to conform to the requirements of the Act. Without any apparent alternative the Federal Communications Commission (FCC) is now considering requiring that network television air a minimum number of hours of educational children's programming per week. The networks have violated the trust of Congress, parents, and children by not responsibly facilitating educational/informational programming on their own without mandatory minimum requirements.

¹The Children's Television Act: What Your PTA Can Do to Improve Children's TV Programming, The National PTA Newsletter, January, 1992.

²ABC adds *Dumb & Dumber* cartoon, Ellen Edwards, Washington Post Service, The Miami Herald, March 10, 1995.

Because quality and educational value is a concern to us as parents and at the request of the National PTA, members of the SFPPTA have monitored stations in the Miami area for the third consecutive year in accordance with the Children's Television Act of 1990. This year, due to the congressional threats of budgetary cuts to the PBS stations, two PBS stations were included in the monitoring along with the four commercial stations (ABC, CBS, FOX, NBC).

Florida stations received license renewal in February 1992 and are not up for review and relicensing by the FCC until February 1997 (license term is 5 years). The South Florida Preschool PTA began monitoring Miami area commercial stations in February 1993. We feel it is important to monitor on a yearly basis to determine if the stations are complying with the Act over the course of their license term, not just immediately prior to renewal. The purpose of this monitoring is to determine if they are in compliance with the terms of the Children's Television Act of 1990.

MONITORING

Individual members of the SFPPTA monitored programming on six major public airwave stations that are aired in the Miami area: Channels 2(WPBT/PBS), 4(WTVJ/NBC owned), 6 (WCIX/CBS owned), 7 (WSVN/Fox affiliate), 10 (WPLG/ABC affiliate), 17(WLRN/PBS) during the month February 1995. Our monitoring concentrated only on these stations whose signals are of sufficient strength that any home in the Miami area with a television receives them.

Cable stations were not monitored because 1) programming review requirements required by the Act do not apply to cable, or noncommercial, stations; and 2) with its content, including its educational/informational children's programming, patrons can cancel their subscriptions.

A committee reviewed the program schedules for the above stations for the two week period beginning Saturday, February 11, 1995. The committee eliminated those programs whose content was clearly not meant for children's viewing. The Children's Television Act defines children's programs as those with a target audience under 16 years old. The remaining time slots were monitored by individual SFPPTA members who signed up to watch one (1) hour blocks of television on each of the six stations. All programs were monitored by two members of the SFPPTA in order to assure agreement of program classification. During each hour of monitoring members ascertained:

- 1) if the program(s) was a children's program;
- 2) if so, was it educational or informational;
- 3) the program's violence content (ie. physical threat, physical striking, person/animal killed);
- 4) the number of minutes of commercials aired was timed and recorded;
- 5) products advertised; and
- 6) general comments.

In addition, the Programming Directors for each of the six stations were contacted, advised of our monitoring project and questioned regarding what children's programs the station classified as educational /informational.

FINDINGS

Each of the four commercial stations monitored airs a 168 hour broadcast week. In all four cases, all regular children's programming takes place on Saturday mornings. No regular children's programming airs weekdays or on Sundays. Of the two PBS stations monitored, WPBT Channel 2 airs a 147 hour broadcast week which includes children's educational programming seven day a week. WLRN Channel 17 airs a 121 hour broadcast week which includes educational children's programming six days a week.

On the commercial stations, children's program air time on Saturdays ranges from three (3) to five and one-half hours (5.5) and airs between 7:00 a.m. and 1:00 p.m. Educational/informational programming comprised only one and one-half (1.5) hours of that total children's programming on two of the stations, and two (2) hours on the remaining two stations.

This market is fortunate to have two PBS stations, and between the two, educational children's programming can be found virtually from 7:00 a.m. to 7:00 p.m. Monday through Friday. WPBT also airs children's educational programming on Saturday from 7:00 a.m. to 9:00 a.m. and Sundays from 6:00 a.m. to 11:00 a.m. WLRN airs children's educational programming on Saturday from 7:00 a.m. to 10:00 a.m. PBS stations WPBT and WLRN respectively air thirty-four and one-half (34.5) hours and thirty-five (35) hours of children's educational programming per week. If it were not for the PBS stations, educational and informational children's programming would be available only on Saturday.

1995 Monitoring Results

Channel	Total Children's Air time Hours	Total Children's Educ/Info Air time Hours
2 (PBS)	34.5	34.5
4 (NBC)	3.0	1.5
6 (CBS)	5.5	1.5
7 (FOX)	3.0	2.0
10 (ABC)	5.5	2.0
17 (PBS)	35.5	35.5

1. Miami area commercial television stations are not making a serious effort to adequately serve the educational needs of children with only 1% of total programming being educational children's TV.

The SFPPTA monitoring showed that less than 4% of each of the four commercial station's 168 hour broadcast week is devoted to children's programming. Only 1% of the commercial station's overall weekly programming would be classified as educational/informational children's television.

Members of the South Florida Preschool PTA note that the commercials stations have improved, ever so slightly, over the past two years with the amount of educational and informational programming. (See Schedule 1.) Nonetheless, we still find the overall results to be unacceptable as parents and members of this community. Schedule 2, attached, lists the children's programs that the SFPPTA monitoring members classified as educational/informational as compared to the children's programs that the commercial stations classified as educational/informational.

Television stations use the public airwaves free of charge under license from the government. It is the stations duty and responsibility to provide us as a nation with quality educational programming. For the past five years, broadcasters lack of commitment to the Act has been demonstrated by their failure to provide educational children's programming. Considering this, the FCC should set a minimum number of educational /informational children's programming hours which will not interfere with a station's ability to make a profit. Three to five hours represents less than three percent of the weekly air time between 6:00 a.m. and 11:00 p.m., the hours during which the programming would have to be shown.

It bewilders us that the commercial network television stations have not risen to the educational challenge presented by the Act. With serious efforts, creativity, and desire networks could solicit quality programming that could attract the advertising dollars that they work to achieve. If producers knew that networks needed to air quality educational children's programming that could be marketable, such programs would be created. Look at the success of *Sesame Street*, *Barney*, *Magic School Bus*, and *Where in the World is Carmen San Diego*, all quality educational programs with tremendous marketability.

2. Broadcasters are classifying social-themed entertainment programs as educational to meet the law's programming requirement, therefore not serving the informational needs of children.

Channel 4, the NBC owned and operated station, airs three hours of children's programming. Of these three hours of children's programming SFPPTA classified only one and one-half hours (50%) as educational. The station claims all three hours as educational. SFPPTA surveyors believed that shows such as *Saved By The Bell* and *California Dreams* were dramatic enactments of a social issue. Channel 4 classifies these shows as educational. They are not. Additionally, even though some of the shows

conveyed a basic moral message, these shows portrayed typical stereo-types of adults in authority as "stupid", intellectuals as "nerds", and the pretty people as "cool", which invalidates the credibility and educational value of the message.

The FCC has defined educational and informational programming as "programming that furthers the positive development of the child in any respect including the child's cognitive/intellectual or emotional/social needs." The SFPPTA study shows that stations are abusing the second part of the FCC definition by focusing on social needs and programs that can readily fulfill that aspect as opposed to the cognitive intellect. Television is such a powerful medium that it is a waste to not utilize it as an educational tool. Our children deserve more from this industry than what they are being provided.

3. PBS stations are showing tremendous effort in their commitment to educational children's programming.

WPBT and WLRN have shown a strong commitment to children's programming with their large amount of educational broadcast hours per week. Of the 147 broadcast hours for WPBT, 34.5 are children's programs, all of which are educational. This equates to 23.5% of the stations total broadcast hours. WLRN broadcasts a 121 hour week of which 35.5 hours are children's programming and all of these are educational/informational. This represents 29% of their total broadcast hours. Schedule 3, attached, lists the PBS shows classified as educational/informational by SFPPTA observers vs. the PBS stations.

WLRN has also become a "Ready To Learn" station which specializes in community outreach educational training by providing workshops and materials to teach parents and caregivers how to make watching television an interactive experience. It makes available activity guides from shows such as *Sesame Street*, *Mr. Rogers' Neighborhood*, *Magic School Bus*, *Puzzle Place*, and *Barney* which serve as a springboard to other learning activities. In doing so, children and adults are taught how to be critical television viewers.

4. Ten to sixty second PSAs/vignettes are being used to fulfill the educational/informational requirements of the law.

We recognize the educational and informational value of these short segments, but fail to understand how these Public Service Announcements meet the spirit of the Act.

5. Only one of the four commercial stations air locally produced programs designed to serve the educational/informational needs of children.

WPLG/ABC produces *By Kids, For Kids*, a weekly local news/informational program dealing with children's issues and interests. During our monitoring period the episode highlighted players on different sports teams and focused on teamwork, dedication, and benefits of belonging to a team. We applaud and welcome more of this type of local programming as it showcases children of the community and familiar places in a positive light.

WTVJ/NBC also locally produces educational specials, none of which were aired during our monitoring period. These programs targeted a more general viewing audience, and were not produced specifically for children, yet they included them in their Children's Programming Report. We commend their efforts in featuring our community and encourage the station to produce local children's educational programs.

6. Stations claim nonbroadcast efforts to satisfy the Act.

Nonbroadcast efforts to enhance the educational value of children's programming and efforts to produce or support children's programming provided to another station in the same market are types of nonbroadcast service which may be considered towards compliance with the Act. WTVJ/NBC provides WLRN/PBS the program *News For Kids*. NBC also provides a study guide developed along with National Geographic Television to all NBC stations as well as to more than 100,000 geography teachers. This guide includes educational objectives and classroom activities for students.

Other stations claim station employees visits to local schools and community calendars as nonbroadcast efforts. While such nonbroadcast efforts are commendable, this type of nonbroadcast service may not be considered as a legitimate claim.

7. Stations operate within commercial limits guideline set by the Act.

Monitoring did find that each of the stations stays within the commercial time limit guidelines set by the Children's Television Act of 1990, with none airing more than 10.5 minutes of commercials per hour during their respective Saturday morning children's television blocks.

The majority of commercials, however, advertised toys, sugary cereals, candy and sugary drinks such as Koolaid. Surveyors all noted the fast pace, bright colors and loudness of the commercials often in contrast to the shows during which they were aired thus making them "sure attention grabbers."

8. Cartoons shown during children's programming are extremely violent.

SFPPTA observers noted a high amount of violence in cartoons classified as children's programming. Also, much of the humor in the cartoons is on a level above what the children in the target audience can comprehend

RECOMMENDATIONS

Our goal is to work to increase the amount of educational/informational children's television in the Miami area and decrease its propensity for violence, to promote critical viewing skills, and to encourage other parents, educators, and civic leaders in South Florida and throughout the state to join with our effort.

The South Florida Preschool PTA, based on the findings of our monitoring, makes the following recommendations:

- 1. The FCC should revise its definition of educational/informational children's programming. The definition of educational/informational should be stated such that programs so classified clearly impart some form of learning or information, so that there is no means by which shows can be construed as educational or informational simply because they mention a social issue.**
- 2. The Children's Television Act should mandate a minimum number of hours of educational/informational children's programming.**
- 3. The Children's Television Act should only allow classification of educational/informational programming to be that which is program length (at least one half hour), not allowing Public Service Announcements and/or vignettes to serve as meeting the mandate of the Act.**
- 4. The FCC should amend the Children's Television Act to address and strictly limit the amount of violence shown in children's programs.**
- 5. The FCC should adopt a credit system that encourages networks to give their owned and operated local stations greater leeway to air nationally or locally produced educational/informational children's programs.**
- 6. The FCC should set the volume scale for commercials as the same as the shows.**

SCHEDULE 1

CHILDREN'S TELEVISION ACT OF 1990 MONITORING RESULTS OF MIAMI STATIONS 1993-1995

TOTAL CHILDREN'S AIR TIME HOURS

CHANNEL	93	94	95
4 (NBC)	2	3	3
6 (CBS)	5.5	6	5.5
7 (FOX)	6	3	3
10 (ABC)	5.5	5.5	5.5
2 (PBS)	NA	NA	34.5
17 (PBS)	NA	NA	35.5

TOTAL CHILDREN'S EDUC/INFO AIR TIME HOURS

CHANNEL	93	94	95
4 (NBC)	.5	1.5	1.5
6 (CBS)	.5	1.5	1.5
7 (FOX)	.5	2	2
10 (ABC)	1.5	2	2
2 (PBS)	NA	NA	34.5
17 (PBS)	NA	NA	35.5

***NA=Not Available as it was not included that monitoring period.**

SCHEDULE 2

CLASSIFICATION OF CHILDREN'S EDUCATIONAL PROGRAMMING ON COMMERCIAL STATIONS PURSUANT TO THE CHILDREN'S TELEVISION ACT OF 1990

SFPPTA	STATION
WTVJ/NBC Name Your Adventure NBA Inside Stuff News For Kids	Name Your Adventure NBA Inside Stuff News For Kids Saved By The Bell California Dreams National Geographic Specials* "The More You Know" spots "Make a Difference" spots Specials on African Americans, Hispanic Americans, & History of WTVJ
WCIX/CBS Growing Up Wild Beakman's World Storybreak	Growing Up Wild Beakman's World Storybreak Little Mermaid CBS Afterschool Specials* Quarterly Specials
WSVN/FOX Feed Your Mind Not Just News Nick News Nick News	Feed Your Mind Not Just News Nick News Nick News
WPLG/ABC Gladiators 2000 Animal Adventures Bill Nye, Science Guy By Kids, For Kids	Gladiators 2000 Animal Adventures Bill Nye, Science Guy By Kids, For Kids Bi-monthly Specials

*These programs are not regularly scheduled and did not fall within our week of monitoring.

SCHEDULE 3

CLASSIFICATION OF CHILDREN'S EDUCATIONAL PROGRAMMING ON PBS STATIONS PURSUANT TO THE CHILDREN'S TELEVISION ACT OF 1990

	SFPPTA	STATION
WPBT	Big Comfy Couch	Big Comfy Couch
	Kids Songs	Kids Songs
	Barney	Barney
	Lamb Chop	Lamb Chop
	Sesame Street	Sesame Street
	Story Time	Story Time
	Adventures of Dudley Dragon	Adventures of Dudley Dragon
	Magic School Bus	Magic School Bus
	Ghostwriter	Ghostwriter
	Carmen San Diego	Carmen San Diego
	Mr. Rogers	Mr. Rogers
	Puzzle Place	Puzzle Place
	Shining Time Station	Shining Time Station
	Reading Rainbow	Reading Rainbow
	Bill Nye, Science Guy	Bill Nye, Science Guy
WLRN	Adventures of Dudley Dragon	Adventures of Dudley Dragon
	Jack Houston's Imagineland	Jack Houston's Imagineland
	Big Comfy Couch	Big Comfy Couch
	Gerbert	Gerbert
	Magic School Bus	Magic School Bus
	News For Kids	News For Kids
	Mr. Rogers	Mr. Rogers
	Story Time	Story Time
	Puzzle Place	Puzzle Place
	Sesame Street	Sesame Street
	Shining Time Station	Shining Time Station
	Barney	Barney
	Kids Songs	Kids Songs
	Carmen San Diego	Carmen San Diego
	Ghostwriter	Ghostwriter
	Dial-A-Teacher	Dial-A-Teacher